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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,833	01/03/2002	Travis J. Parry	10008077-1	6567

7590 09/30/2004

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EXAMINER
IQBAL, NADEEM

ART UNIT	PAPER NUMBER
2114	

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/037,833	PARRY, TRAVIS J.
	<b>Examiner</b>	<b>Art Unit</b>
	Nadeem Iqbal	2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 03 January 2002.

2a) This action is **FINAL**.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) *	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wei et al., (U.S. Patent number 6515967) in view of Carusone et al., (U.S. Patent number 6515967).

4. As per claim 1, Wei et al., teaches (col. 2, lines 60-62) methods, system, and computer-readable media for detecting faults in routing devices in a computer network capable of routing messages using a multicast protocol. He also teaches (col. 3, lines 1-4) that test packet sender transmits test data packets to a test group of test packet receivers. The test receiver prepares data or fault reports describing errors. He thus teaches limitations pertain to error occurrence at a first device of the plurality of devices, compiling error information about the error into a first error file and transmitting the first error file to a second device. He also teaches (col. 3, lines 23-25)

that the test monitoring device transmits test configuration data packets to potential test senders and test receivers, and collects fault information from test receivers. He thus teaches limitations pertain to when an error occurs at the second device, compiling error information about error into a second error file. He does not explicitly disclose compiling the first and second error files into a master file. Carusone et al., teaches (col. 5, lines 60-62) fault analysis and fault isolation method and apparatus, where all of the failure reports from a single incident may be combined and analyzed. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the fault analysis and isolation method of Carusone into the method of Wei to be able to combine failure reports thereby creating a master error file. This is because both inventions are in the same environment of fault isolation and error analysis and Carusone teaches further that combining failure reports and then analyzed to determine on which link the failure occurred determine cause of failure (col. 5, lines 61-63). Thus providing motivation for the stated inclusion.

5. Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wei et al., (U.S. Patent number 6515967) in view of Carusone et al., (U.S. Patent number 6515967) and further in view of Ochiai (U.S. Patent Application Publication number 2001/0011358).

6. As per claim 2, He does not explicitly disclose determining that a class error exists based on the compiled file of the master error file. Ochiai teaches (page 1, section 0012, lines 1-4) a fault handling system that determines the fault class information indicating a degree of seriousness of the fault detected. It would have been obvious to a person of ordinary skill in the art to include the invention of Ochiai into the invention of Wei, since Ochiai teaches that the

determination of fault class indicates a degree of seriousness of the fault detected, thus providing motivation for the stated inclusion.

7. As per claim 3, Wei teaches (col. 3, lines 30-32) that the system includes test source request packets and test receiver request packets created and transmitted by the test monitoring device and contains an identifier to the test monitoring device.

8. As per claim 4, Carusone et al., teaches (col. 5, lines 60-62) fault analysis and fault isolation method and apparatus, where all of the failure reports from a single incident may be combined and analyzed to determine on which link the failure occurred determine cause of failure (col. 5, lines 61-63). Thus teaching to transmit the first file to a second device when a predetermined number of first error files have been compiled.

9. As per claim 5, Wei teaches (col. 3, lines 3-5) fault reports describing errors regarding missing or duplicated data packets. Ochiai teaches (page 1, section 0012, lines 1-4) to determine the fault class information indicating a degree of seriousness of the fault detected. Carusone teaches (col. 5, lines 60-62) failure reports to analyze to determine on which link the failure occurs and probabilities of various components. Thereby teaching the limitations in this claim.

10. As per claim 6, Ochiai teaches (page 1, section 0012, lines 5-7) to output the fault class information and the type of the fault handling processing, the operation mode information being related with the type of fault handling processing.

11. As per claim 7, Carusone teaches (col. 9, lines 35-38) failure reports sent by each unit that observes the failure, to a central location, which is a service processor 272, therefore, would include storing master error file in a non-volatile memory.

12. As per claim 8, Carusone teaches (col. 5, lines 60-63) that all failure reports from a single incident may be combined and then analyzed to determine on which link the failure occurred. He thus teaches an error report based on the master file.

13. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wei et al., (U.S. Patent number 6515967) in view of Carusone et al., (U.S. Patent number 6515967).

14. As per claim 9, Wei et al., substantially teaches the claimed invention as disclosed related to claim 1 above. He also teaches (col. 2, lines 60-62) a computer network capable of routing messages using a multicast protocol. He also teaches (col. 3, lines 1-4) that test packet sender transmits test data packets to a test group of test packet receivers. The test receiver prepares data or fault reports describing errors. He thus teaches limitations pertain to two imaging devices in communication with each other. He also teaches (col. 3, lines 23-25) that the test monitoring device transmits test configuration data packets to potential test senders and test receivers, and collects fault information from test receivers. He does not explicitly disclose a master imaging device adapted to collect and store error information from the at least two imaging devices. Carusone et al., teaches (col. 5, lines 60-62) fault analysis and fault isolation method and apparatus, where all of the failure reports from a single incident may be combined and analyzed. A person of ordinary skill in the art would have been motivated to include the fault analysis and isolation method of Carusone into the method of Wei to be able to create a master device adapted to collect and store error information from the at least two devices. This is because both inventions are in the same environment of fault isolation and error analysis and Carusone teaches further that combining failure reports and then analyzed to determine on which link the failure

occurred determine cause of failure (col. 5, lines 61-63). Thus providing motivation for the stated inclusion.

15. Claims 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wei et al., (U.S. Patent number 6515967) in view of Carusone et al., (U.S. Patent number 6515967) and further in view of Ochiai (U.S. Patent Application Publication number 2001/0011358).

16. As per claim 10, Wei teaches (col. 3, lines 3-5) fault reports describing errors regarding missing or duplicated data packets. Ochiai teaches (page 1, section 0012, lines 1-4) to determine the fault class information indicating a degree of seriousness of the fault detected. Carusone teaches (col. 5, lines 60-62) failure reports to analyze to determine on which link the failure occurs and probabilities of various components. Thereby teaching the limitations in this claim.

17. As per claim 11, Wei et al., teaches (col. 5, lines 57-60) MRM testers that can be any routing device and an MRM manager configures test and collects fault data in the form of fault reports from test receivers, therefore the MRM manager can include an embedded web server.

18. As per claims 12 & 13, Wei already teaches as stated above that MRM testers can be any routing device and an MRM manager configures test and collects fault data in the form of fault reports from test receivers, therefore the MRM manager enables communication between the master device and one or more user designated addresses.

19. As per claim 14, Carusone et al., teaches (col. 5, lines 60-62) fault analysis and fault isolation method and apparatus, where all of the failure reports from a single incident may be combined and analyzed, thereby forming error report based on the collected error information.

20. As per claim 15, Wei et al., substantially teaches the claimed invention as disclosed related to claim 9 above. He also teaches (col. 2, lines 60-62) a computer network capable of

routing messages using a multicast protocol. He also teaches (col. 3, lines 1-4) that test packet sender transmits test data packets to a test group of test packet receivers. The test receiver prepares data or fault reports describing errors. He thus teaches limitations pertain to two communicating between a plurality of devices. He also teaches (col. 3, lines 23-25) that the test monitoring device transmits test configuration data packets to potential test senders and test receivers, and collects fault information from test receivers. He does not explicitly disclose a master error file which include compiled error information from at least two of the plurality of devices. Carusone et al., teaches (col. 5, lines 60-62) fault analysis and fault isolation method and apparatus, where all of the failure reports from a single incident may be combined and analyzed. A person of ordinary skill in the art would have been motivated to include the fault analysis and isolation method of Carusone into the method of Wei to be able to create a master error file as claimed to compile error information from the at least two devices. This is because both inventions are in the same environment of fault isolation and error analysis and Carusone teaches further that combining failure reports and then analyzed to determine on which link the failure occurred determine cause of failure (col. 5, lines 61-63). Thus providing motivation for the stated inclusion.

21. As per claim 16, Wei teaches (col. 3, lines 23-25) test monitoring device that transmits test configuration data packets to potential test senders and test receivers, and collect fault information from test receivers, therefore would include polling the plurality of devices.

22. As per claim 17, Carusone teaches (col. 9, lines 35-38) failure reports sent by each unit that observes the failure, to a central location, which is a service processor 272, therefore, would include storing master error file.

23. As per claims 18 & 19, Wei teaches (col. 3, lines 34-36) the test receiver request packets and the test source request packets contain a test group identifier for identifying a group of test packet receiving devices. He thus includes the capability to transmit error information to one or more user designated addresses.

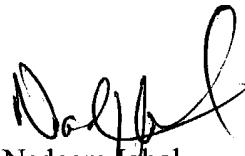
24. As per claim 20, Wei teaches (col. 3, lines 3-5) fault reports describing errors regarding missing or duplicated data packets. Ochiai teaches (page 1, section 0012, lines 1-4) to determine the fault class information indicating a degree of seriousness of the fault detected. Carusone teaches (col. 5, lines 60-62) failure reports to analyze to determine on which link the failure occurs and probabilities of various components. Thereby teaching the limitations in this claim.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadeem Iqbal whose telephone number is (703)-308-5228. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (703)-305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nadeem Iqbal  
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Art Unit 2114

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